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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

MARINA GARDENS – BDS, LLC, a Nevada
Limited Liability Company; MARINA GARDENS
– RAF, a Nevada Limited Liability Company,

Plaintiffs,

v.

HOUSTON SPECIALTY INSURANCE
COMPANY, a Texas Corporation; ENGLE
MARTIN & ASSOCIATES, LLC, a Georgia
Limited Liability Company; DOES I-XXX; and
ABC CORPORATIONS A-Z; inclusive,

Defendants.

Case No. 3:19-cv-00048-LRH-WGC

ORDER


On March 18, 2019, the Court issued an order finding that defendants had proffered sufficient evidence demonstrating that the amount in controversy in this case exceeds \$75,000. (ECF No. 11). On the same day as the Court’s order, plaintiffs filed a response to defendant’s supplemental removal filing (ECF No. 9) that disputed the amount in controversy. (ECF No. 10). The Court did not learn of this filing until after it issued its March 18 order, and this order will address plaintiffs’ response.

Plaintiffs contend that defendants failed to meet their burden to demonstrate that the amount in controversy is over \$75,000 because they did not attach evidence of purported subsequent demands of less than their May 17, 2018 demand of \$659,170.22. (ECF No. 10 at 3). Plaintiffs admit that they sent the demand letter cited by defendants, but they also contend that the amount changed since then. (*Id.*) Plaintiffs do not, however, present evidence of subsequent

1 demands in support of their argument. As it stands, the evidence before the Court is a May 17,
2 2018 settlement demand by plaintiffs of \$659,170.22, an amount which far exceeds the \$75,000
3 amount in controversy requirement for diversity jurisdiction. Additionally, plaintiffs' settlement
4 demand letter identifies and explains a major insurance claim and dispute arising from a large fire
5 at the subject apartment complex in which claims may exceed the offered settlement of
6 \$659,170.22. Based upon the evidence presented, the Court reconfirms its finding that defendants
7 have sufficiently established diversity jurisdiction based upon an amount in controversy exceeding
8 \$75,000.

9 IT IS SO ORDERED.

10 DATED this 29th day of March, 2019.



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE